

FILED

June 2, 2023

**OFFICE OF
APPELLATE COURTS**

**STATE OF MINNESOTA
IN COURT OF APPEALS**

In re Thomas Shimota,

Petitioner,

Elizabeth Shimota,

Respondent,

vs.

Thomas Shimota,

Petitioner.

ORDER

A23-0776

BASED ON THE FILE, RECORD, AND PROCEEDINGS, AND BECAUSE:

1. On May 26, 2023, petitioner Thomas Shimota filed a petition for an extraordinary writ to preclude the district court from enforcing certain orders in the underlying action brought by respondent Elizabeth Shimota against petitioner.

2. On May 30, 2023, counsel for respondent filed correspondence indicating that petitioner had filed a petition for bankruptcy on May 22, 2023, and included a copy of the notice of case filing from the bankruptcy court.

3. The automatic bankruptcy stay generally precludes the continuation of litigation against a bankruptcy debtor. See 11 U.S.C. § 362.


EXHIBIT I

IT IS HEREBY ORDERED:

1. Further processing of this appeal is stayed, pending relief from the bankruptcy stay or termination of that stay.
2. By July 5, 2023, and by the 5th of each month thereafter, petitioner shall file a status letter with the clerk of the appellate courts, with proof of service on respondent's counsel, indicating whether the bankruptcy stay remains in effect and what developments have occurred or are reasonably anticipated in those proceedings.

Dated: June 2, 2023

BY THE COURT

A handwritten signature in black ink, appearing to read "Matthew E. Johnson", written over a horizontal line.

Judge Matthew E. Johnson